

5/30/01  
14064 U.S. PTO

5-31-01

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## NEW UNITED STATES UTILITY PATENT APPLICATION TRANSMITTAL

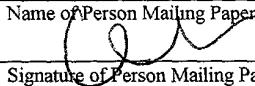
Atty. Docket No.: 18433/2022

### CERTIFICATE OF MAILING UNDER 37 CFR 1.10

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, Express Mail Label No. EL728730701US on this date, May 30, 2001, postage prepaid, in an envelope addressed to Box: Patent Application, Commissioner for Patents, Washington, D.C. 20231.

**Kathleen M. Williams**

Name of Person Mailing Paper

  
Signature of Person Mailing Paper

105-0618703101  
05/30/01

Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

Enclosed herewith is a new patent application of:

First Named Inventor (or application identifier): Gruber, et al.

Title of Invention: "Chimeric Plant Promoters and Plants Containing the Same"

Type:  New  
 Continuation of: \_\_\_\_\_  
 Continuation-in-Part of: PCT/IB00/01383  
 Divisional of: \_\_\_\_\_

And includes the following papers:

1.  Specification 119 pages (including specification, claims, abstract and sequence listing)/135 claims  
(5 independent)
2.  Declaration/Power of Attorney is:  
 Attached  Executed  Unexecuted  
 NOT included, but deferred under 37 C.F.R. § 1.53(f).
3.  14 Distinct sheets of  Formal  Informal Drawings
4.  Preliminary Amendment.
5.  Information Disclosure Statement  
 Form 1449  
 A copy of each cited prior art reference
6.  Assignment with Recordation Cover Sheet.
7.  Priority is hereby claimed under 35 U.S.C. § 119 based upon the following application(s):

Country	Application Number	Date of Filing (day, month, year)

8.  Priority is hereby claimed under 35 U.S.C. § 120 based upon the following application(s):

Country	Application Number	Date of Filing (day, month, year)
PCT	IB00/01383	28, September, 2000

9.  Priority document(s).

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Atty. Docket No.: 18433/2022

10.  Statement of Small Entity Status, Pursuant to 37 C.F.R. §1.27.
11.  Microfiche Computer Program (Appendix).
12.  Nucleotide and/or Amino Acid Sequence Submission.
  - Computer Readable Copy.
  - Paper Copy (identical to computer copy).
  - Statement verifying identity of above copies.
13.  Request for Non-Publication and Certification under 35 USC 122 (b)(2)(B)(i)
14. Calculation of Fees:

FEES FOR	TOTAL CLAIMS	EXCESS CLAIMS	Fee	AMOUNT DUE
Basic Filing Fee (37 C.F.R. § 1.16(a))				\$710.00
Total Claims in <b>Excess of 20</b> (37 C.F.R. § 1.16(c))	135	115	\$18.00	2,070.00
Independent Claims in <b>Excess of 3</b> (37 C.F.R. § 1.16(b))	5	3	\$80.00	240.00
Multiple Dependent Claims (37 C.F.R. § 1.16(d))	YES		\$270.00	270.00
Subtotal - Filing Fee Due				3,290.00
Reduction by 50%, if Small Entity (37 C.F.R. §§ 1.9, 1.27, 1.28)	MULTIPLY BY 0.50			1,645.00
<b>TOTAL FILING FEE DUE</b>				1,645.00
Assignment Recordation Fee (if applicable) (37 C.F.R. § 1.21(h))	0		\$40.00	N/A
<b>GRAND TOTAL DUE</b>				<b>\$1,645.00</b>

15. PAYMENT is:
  - included in the amount of \_\_\_\_\_ by our enclosed check. The Commissioner is hereby authorized to charge any deficiencies in the fees to Deposit Account 16-0085, Ref. \_\_\_\_\_.
  - not included, but deferred under 37 C.F.R. § 1.53(f).

16. All correspondence for the attached application should be directed to:

**KATHLEEN M. WILLIAMS**  
Customer Number 27495

17. Other: \_\_\_\_\_

Respectfully submitted,

Date: May 30, 2001

By: \_\_\_\_\_

Name: Kathleen M. Williams  
Registration No.: 34,380

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Gruber, et al.  
Serial No.: Not yet assigned  
Filed: May 30, 2001  
Entitled: "Chimeric Plant Promoters and Plants Containing the Same"

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**Kathleen M. Williams**

Name of Person Mailing Paper

Signature of Person Mailing Paper

Box: Patent Application  
Commissioner for Patents  
Washington, D.C. 20231

**TRANSMITTAL LETTER**

Enclosed for filing in the above-identified patent application, please find the following documents:

1. New Patent Application Transmittal (2 pages);
2. Patent Application Specification, (119 pages);
3. (14) sheets of informal drawings;
4. Application Data Sheet; and
5. Return Post Card.

Pursuant to 37 C.F.R. § 1.27, Applicant claims small entity status.

The Commissioner for Patents is hereby authorized to charge any additional fees or credit any overpayment in the total fees to Deposit Account No. 16-0085, Reference No. 18433/2022.  
A duplicate of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

Date: May 30, 2001

Name: Kathleen M. Williams  
Registration No.: 34,380  
Palmer & Dodge LLP  
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Boston, MA 02108  
Tel: 617-573-0100